

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 v. ) 2:11-CR-245-RCJ-(GWF)  
 )  
 MARKIETH BRANSCUMB, )  
 )  
 Defendant. )

**AMENDED FINAL ORDER OF FORFEITURE**

On December 13, 2011, the United States District Court for the District of Nevada entered a Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2) and Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code Section 2461(c) based upon the plea of guilty by defendant MARKIETH BRANSCUMB to the criminal offense, forfeiting the property set forth in the Forfeiture Allegation of the Criminal Indictment and shown by the United States to have the requisite nexus to the offense to which defendant MARKIETH BRANSCUMB pled guilty. Criminal Indictment, ECF No. 1; Change of Plea, ECF No. 20; Preliminary Order of Forfeiture, ECF No. 22.

This Court finds the United States of America published the notice of forfeiture in accordance with the law via the official government internet forfeiture site, [www.forfeiture.gov](http://www.forfeiture.gov), consecutively from December 16, 2011, through January 14, 2012, notifying all potential third parties and notified known third parties by personal service or by regular mail and certified mail return receipt requested, of their right to petition the Court. Notice of Filing Proof of Publication, ECF No. 23.

1 On March 28, 2012, the court entered a Final Order of Forfeiture. Final Order of Forfeiture,  
2 ECF No. 33.

3 Ben Austin was personally served with the Notice and Preliminary Order of Forfeiture on  
4 August 22, 2014, by the United States Marshals Service. Notice of Filing Service of Process, ECF No.  
5 37.

6 This Court finds no petition was filed herein by or on behalf of any person or entity and the  
7 time for filing such petitions and claims has expired.

8 This Court finds no petitions are pending with regard to the assets named herein and the time  
9 for presenting such petitions has expired.

10 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all right,  
11 title, and interest in the property hereinafter described is condemned, forfeited, and vested in the  
12 United States of America pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P.  
13 32.2(c)(2); Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code Section  
14 2461(c); and Title 21, United States Code, Section 853(n)(7) and shall be disposed of according to  
15 law:

- 16 1. a Smith & Wesson, Model 5903, 9mm pistol, serial number TD59687;
- 17 2. a Kahr – Auto Ordinance, P40, .40 caliber pistol, serial number ZA1820; and
- 18 3. any and all ammunition.

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited funds,  
20 including but not limited to, currency, currency equivalents, certificates of deposit, as well as any  
21 income derived as a result of the United States of America's management of any property forfeited  
22 herein, and the proceeds from the sale of any forfeited property shall be disposed of according to law.

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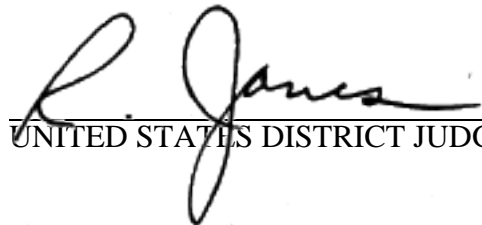
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1 The Clerk is hereby directed to send copies of this Order to all counsel of record and three  
2 certified copies to the United States Attorney's Office.

3 Dated this 5th day of November, 2014.

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UNITED STATES DISTRICT JUDGE  
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**PROOF OF SERVICE**

I, Mary Stolz, Forfeiture Support Associates Paralegal, certify that the following individuals were served with copies of the Final Order of Forfeiture on October 29, 2014, by the below identified method of service:

Electronic Filing

Monique N. Kirtley  
Federal Public Defender  
411 E. Bonneville, S 250  
Las Vegas, NV 89101  
Monique\_Kirtley@fd.org  
Counsel for Markieth Branscumb

/s/ Mary Stolz  
Mary Stolz  
Forfeiture Support Associates Paralegal